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The Bank of New York as Trustee for the
 8 *Certificateholders CWMBS, Inc., CHL Mortgage*
Pass-Through Trust 2005-HYB10 Mortgage Pass-
 9 *Through Certificates, Series 2005-HYB10*

10 **UNITED STATES DISTRICT COURT**
 11 **DISTRICT OF NEVADA**

13 THE BANK OF NEW YORK MELLON FKA
 14 THE BANK OF NEW YORK AS TRUSTEE
 15 FOR THE CERTIFICATEHOLDERS CWMBS,
 16 INC., CHL MORTGAGE PASS-THROUGH
 17 TRUST 2005-HYB10 MORTGAGE PASS-
 18 THROUGH CERTIFICATES, SERIES 2005-
 19 HYB10,

17 Plaintiff,

18 v.

19 GRANITE CREST HOMEOWNERS
 20 ASSOCIATION; NEVADA ASSOCIATION
 21 SERVICES, INC.; DOE INDIVIDUALS I-X,
 inclusive, and ROE CORPORATIONS I-X,
 inclusive,

22 Defendants.
 23

Case No.: 2:17-cv-00365-JAD-NJK

**STIPULATION FOR EXTENSION OF
 TIME TO FILE DISMISSAL
 DOCUMENTS & ORDER**

(Seventh Request)

24 The Bank of New York Mellon fka The Bank of New York as Trustee for the
 25 Certificateholders CWMBS, Inc., CHL Mortgage Pass-Through Trust 2005-HYB10 Mortgage Pass-
 26 Through Certificates, Series 2005-HYB10 (**BoNYM**), and Granite Crest Homeowners Association
 27 (**Granite Crest**), by and through their undersigned counsel of record, hereby stipulate as follows:

28 . . .

1 1. The parties reached a settlement as indicated by the notice of settlement filed on
2 January 9, 2020. (ECF No. 34).

3 2. BoNYM filed a status report regarding settlement on February 14, 2020.

4 3. The parties filed a stipulation to extend the time to file dismissal documents on March
5 16, 2020. The parties filed a second stipulation to extend the time to file dismissal documents on
6 April 15, 2020, noting that the parties were working to make mutually acceptable revisions to the
7 draft settlement agreement, and Granite Crest was reviewing the most recently revised agreement.

8 4. The parties filed a third stipulation to extend time to file dismissal documents on May
9 15, 2020, noting the parties had made progress finalizing the language of the draft settlement
10 agreement. However, due to delays caused by COVID-19, the parties were unable to execute the
11 final agreement prior to the current dismissal deadline.

12 5. The parties filed a fourth stipulation to extend time to file dismissal documents on
13 June 15, 2020, indicating the parties had reached an agreement as to the final language in the
14 settlement agreement.

15 6. The parties filed a fifth stipulation to extend time on July 15, 2020, indicating the
16 finalized agreement was before BoNYM for review and execution. The parties further indicated,
17 due to an inadvertent error in Granite Crest's prior execution, Granite Crest had to re-execute the
18 agreement.

19 6. The parties filed a sixth stipulation to extend time on August 14, 2020, indicating
20 final execution of the agreement was delayed due to the unexpected unavailability of the signatory
21 for the HOA. The parties further indicated they were moving forward with completing the
22 conditions precedent to dismissal in the meantime.

23 7. BoNYM has executed the agreement since the previous status update; however,
24 execution from the HOA remains outstanding. This process has been delayed due to the Covid-19
25 pandemic making it difficult to obtain correctly executed signatures on the settlement documents.
26 Once the agreement is fully executed, the parties expect to finalize resolution of the remaining
27 matters and submit dismissal documents as soon as possible. The parties remain aware of the
28 extended time resolving this matter has taken and appreciate the court's patience. The parties

respectfully request the court extend the dismissal deadline by an additional 30 days. The parties do not anticipate requiring further extension of the dismissal deadline.

8. This is the parties seventh request for an extension to this deadline and is not intended to cause any delay or prejudice to any party.

DATED this 14th day of September, 2020.

AKERMAN LLP

/s/ Nicholas E. Belay, Esq.

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ORDER

The parties reached a settlement in this case eight months ago, and it appears that it is taking an inordinate amount of time for the HOA to sign the settlement documents. Although the court is sympathetic that the pandemic has made most business more difficult to conduct, this delay is becoming excessive even under these circumstances. Accordingly, **the court grants this stipulation [ECF No. 52] and extends the deadline for dismissal documents to 10/18/2020.** However, should the documents still not be signed by that deadline, the court will order the parties to an in-person hearing.


U.S. District Judge Jennifer A. Dorsey

Dated: September 16, 2020